

1 AN ACT
2 RELATING TO PUBLIC SCHOOLS; ENACTING THE NEW MEXICO SCHOOL
3 FOR THE ARTS ACT; ALLOWING FOR THE CREATION OF A
4 STATE-CHARTERED CHARTER SCHOOL AS A STATEWIDE RESIDENTIAL
5 HIGH SCHOOL FOR THE ARTS; EXEMPTING THE SCHOOL FROM CERTAIN
6 PROVISIONS OF THE CHARTER SCHOOLS ACT; ALLOWING THE SCHOOL TO
7 ESTABLISH ADMISSIONS CRITERIA AND ROOM AND BOARD FEES;
8 REQUIRING PRIVATE FUNDING FOR ROOM AND BOARD COSTS AND
9 OUTREACH ACTIVITIES; PROVIDING FOR OUTREACH ACTIVITIES;
10 DECLARING AN EMERGENCY.

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

13 Section 1. A new section of the Public School Code is
14 enacted to read:

15 "SHORT TITLE.--This act may be cited as the "New Mexico
16 School for the Arts Act"."

17 Section 2. A new section of the Public School Code is
18 enacted to read:

19 "PURPOSE OF ACT.--The purpose of the New Mexico School
20 for the Arts Act is to provide for the establishment of the
21 "New Mexico school for the arts" as a statewide residential
22 state-chartered charter high school that provides New Mexico
23 students who have demonstrated artistic abilities and
24 potential with the educational opportunity to pursue a career
25 in the arts."

1 Section 3. A new section of the Public School Code is
2 enacted to read:

3 "DEFINITIONS.--As used in the New Mexico School for the
4 Arts Act:

5 A. "board" means the governing body of the school;
6 and

7 B. "school" means the New Mexico school for the
8 arts."

9 Section 4. A new section of the Public School Code is
10 enacted to read:

11 "PURPOSE OF SCHOOL--SCHOOL EXEMPT FROM CERTAIN
12 PROVISIONS OF THE CHARTER SCHOOLS ACT.--

13 A. The commission may charter a "New Mexico school
14 for the arts" as a statewide residential state-chartered
15 charter school for grades nine through twelve to offer
16 intensive preprofessional instruction in the performing and
17 visual arts combined with a strong academic program that
18 leads to a New Mexico diploma of excellence.

19 B. The school and the board are subject to all the
20 provisions of the Charter Schools Act, except Subsection K of
21 Section 22-8B-4 NMSA 1978 and Section 22-8B-4.1 NMSA 1978.
22 The school shall not charge tuition, except as otherwise
23 provided in the Public School Code. The school shall be
24 supported by state funds in the same manner as other charter
25 high schools authorized by the commission."

1 Section 5. A new section of the Public School Code is
2 enacted to read:

3 "BOARD CREATED--POWERS AND DUTIES--SOLICITATION OF
4 GIFTS, GRANTS AND DONATIONS.--The school shall be governed by
5 a board of at least five members constituted as provided in
6 the school's application for charter. No member of the board
7 shall serve as a member of another charter school. The board
8 shall have such powers and perform such duties as required by
9 state and federal law and the school's charter, including
10 soliciting and receiving gifts, grants and donations to
11 further the purposes of the school and to assist the school in
12 providing free or reduced-fee room and board for those
13 residential students who cannot pay all or part of residential
14 costs."

15 Section 6. A new section of the Public School Code is
16 enacted to read:

17 "ADMISSIONS CRITERIA--EQUAL OPPORTUNITY--OUTREACH.--

18 A. The admissions criteria shall be designed to
19 admit students who show exceptional promise or aptitude in the
20 arts and a strong desire to pursue a career in the arts. The
21 admissions process shall be conducted in a way that provides
22 equal opportunity for admission to each prospective student
23 regardless of that student's exposure to previous artistic
24 training and without regard to the student's ability to pay
25 residential costs.

1 B. The board shall ensure, to the greatest extent
2 possible and without jeopardizing admissions standards, that
3 an equal number of students is admitted to the school from
4 each of the state's congressional districts.

5 C. The board shall submit an annual report to the
6 charter schools division and the commission that includes
7 demographic information about both applicants and students
8 admitted to the school, including the counties and the
9 congressional districts represented by the students enrolled
10 and the makeup of the student body in terms of socioeconomic
11 status, gender and ethnicity.

12 D. The school shall conduct outreach activities
13 throughout the state to acquaint potential students with the
14 programs offered by the school. The outreach activities shall
15 include programs for middle school students and workshops for
16 teachers. There shall be no admissions criteria established
17 for participation in outreach activities."

18 Section 7. A new section of the Public School Code is
19 enacted to read:

20 "ROOM AND BOARD CHARGES.--

21 A. The school shall charge residential students a
22 fee to cover the costs of room and board. The board shall
23 establish a sliding-fee scale based on the student's ability
24 to pay. The commission shall approve room and board charges
25 and the sliding-fee scale during the planning year of the

1 school and may approve changes to the charges and scale as
2 requested by the board.

3 B. The school shall report each year to the
4 charter schools division and the commission on the number of
5 students requiring financial assistance for room and board;
6 the amount of financial assistance provided; and the amount
7 and source of gifts, grants and donations received by the
8 school to provide that financial assistance."

9 Section 8. A new section of the Public School Code is
10 enacted to read:

11 "ROOM AND BOARD COSTS--OUTREACH ACTIVITIES--PRIVATE
12 FUNDING REQUIRED.--The school shall, either through a
13 foundation or other private funding sources, obtain gifts,
14 grants and donations to ensure that the school has adequate
15 revenue to pay for all expenses associated with outreach
16 activities provided for in Section 6 of the New Mexico School
17 for the Arts Act and for room and board costs for those
18 students who are not able to pay the full cost of room and
19 board as provided in Section 7 of that act. The school shall
20 separately account for the costs of outreach activities and
21 room and board and for the revenue received from private
22 sources to pay those costs. The school shall not use money
23 received from the state for these purposes. Failure of the
24 school to secure adequate funding for these purposes shall be
25 grounds for denial or revocation of a charter."

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Section 9. EMERGENCY.--It is necessary for the public
peace, health and safety that this act take effect
immediately. _____